

NOT FOR PUBLICATION

UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY

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JOANNE NEALE, KERI HAY, KELLY  
MCGARY, SVEIN A. BERG, and  
GREGORY P. BURNS,, individually and  
on behalf of others similarly situated,

Plaintiffs,

v.

VOLVO CARS OF NORTH AMERICA,  
LLC, and VOLVO CAR  
CORPORATION,

Defendants.

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**Hon. Dennis M. Cavanaugh**

**ORDER**

Civ. No. 10-cv-04407 (DMC) (JAD)

DENNIS M. CAVANAUGH, U.S.D.J.:

This matter comes before the Court upon motion by Defendant Volvo Cars of North America, LLC (“Defendant”) to dismiss the Complaint pursuant to Fed. R. Civ. P. 12(b)(6), Fed. R. Civ. P. 12(f), and Fed. R. Civ. P.23. After considering the submissions of the parties, and based upon the Court’s Opinion filed this day,

IT IS on this 11th day of April, 2011;

**ORDERED** Defendants motion to dismiss Plaintiff’s complaint is **denied**.

S/ Dennis M. Cavanaugh  
DENNIS M. CAVANAUGH, U.S.D.J.

Original: Clerk  
cc: All Counsel of Record  
Hon. Joseph A. Dickson, U.S.M.J.